

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: John F. Porter

Confirmation No. 7560

Serial No. 10/696,751

Examiner: Maki, Steven D.

Filed: October 29, 2003

Group Art Unit: 1733

M.S. Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

☐ Together with the present application.

☐ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. **[37 CFR § 1.97(b)]**

☒ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. **[37 CFR §1.97(c)].** *(Either the fee or certification is provided, as set forth below).*

☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. **[37 CFR §1.97(d)].** *The fee and certification are provided, as set forth below).*

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☐ No separate requirements are needed.

☐ No additional fee is required.

**Fee Under 37 CFR § 1.97(c) or 1.97(d)**

☐ The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☒ Please charge the fee of \$180.00 for submission of an IDS under § 1.97(c) or (d) as set forth in § 1.17(p) to Deposit Account 04-1679.

**Certification Under 37 CFR § 1.97(e)**

The undersigned certifies:

☐ 1 that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ 2 that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

**Provision of Copies of References**

☒ A copy of each of the non-patent references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

☐ Partial Translations of References are enclosed herewith and form a part hereof.

☒ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.

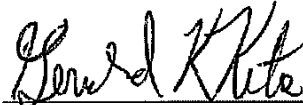
☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

[X] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). 10/155,650, filed May 23, 2002, and U.S. Application No(s). 09/478,129, filed January 5, 2000. The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application: previously submitted

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679.

Respectfully submitted,



Gerald K. Kita

Registration No. 24,125

Date: August 7, 2006

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>  Sheet 1 of 2	ATTY. DOCKET NO. D1815-00138	APPLICATION NO. 10/696,751
	FIRST NAMED APPLICANT Porter, John	EXAMINER Maki, Steven
	FILING DATE October 29, 2003	GROUP 1733

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER	Date of Publication of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	A	5,791,109	08.11.1998	Lehnert et al.	
	B	5,718,785	02.17.1998	Randall	
	C	5,644,880	07.08.1997	Lehnert et al.	
	D	5,552,187	09.03.1996	Green et al.	
	E	5,397,631	03.14.1995	Green et al.	
	F	5,220,762	06.22.1993	Lehnert et al.	
	G	5,317,989	12.13.1994	Lehnert et al.	
	H	5,319,900	06.14.1994	Lehnert et al.	
	I	4,477,300	10.16.1984	Pilgrim	
	J	4,647,496	03.03.1987	Lehnert et al.	
	K	3,993,822	11.23.1976	Knauf et al.	

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No.	Office	DOCUMENT NUMBER	COUNTRY	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T
	L		0343404A	EP	29 Nov 1989		abstract
	M		1588899A	GB	29 Apr 1981		
	N		3921779A	DE	10 Jan 1991		abstract

**OTHER DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.
	O	European Search Report in EP 01 93 9977 dated 25 February 2003
EXAMINER SIGNATURE		DATE CONSIDERED

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>  Sheet 2 of 2	ATTY. DOCKET NO. D1815-00138	APPLICATION NO. 10/696,751
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	P	5,763,043	06.09.1998	Porter et al.	
	Q	4,816,091	03.28.1989	Miller	
	R	4,793,892	12.27.1988	Miller et al.	
	S	5,552,207	09.03.1996	Porter et al.	
	T	6,054,205	04.25.2000	Newman et al.	
	U	5,308,692	05.03.1994	Kennedy et al.	
	V	5,110,627	05.05.1992	Shoesmith et al.	
	W	4,617,219	10.1980	Schupack	

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